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EXAMINER

DELA TORRE, CRESCELLE N

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 03/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/420,321

Applicant(s)

WESTERMAN ET AL.

Examiner

Crescelle N dela Torre

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This action is responsive to communications: prior art, filed on 5/12/00.

This action is non-final.

Claims 1-41 are pending in this application. Claims 1, 7, 12, 17, 22, 28, and 34 are independent claims.

The present title of the invention is "Interactive Virtual Area Browser".

#### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Interactive Virtual Area Browser for Selecting, Scrolling and Rescaling Graphical Representations of Displayed Data.

#### ***Claim Objections***

2. Claims 5, 6, 10, and 11 are objected to because of the following informalities: in claims 5, 6, should "computer implemented" on line 1 be deleted? Also, in claim 10, should the "manipulator of claim 7 further enabling" be reworded as the "graphical user interface of claim 7 wherein the manipulator further enables"? In claim 11, should the

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"manipulator of claim 7" be rephrased as the "graphical user interface of claim 7"?

Appropriate correction is required.

### ***Double Patenting***

3. Applicant is advised that should claim 35 be found allowable, claim 38 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 112***

4. Claims 7-11, 17-27, 32, and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 7, on line 7, "a said limit" lacks clear antecedent basis. The same also applies for claim 17, line 11.

As to claim 17, on line 3, and claim 22, on line 3, "said user" lacks clear antecedent basis.

Regarding claim 32, and also claim 33, "the computer implemented graphical user interface of claim 28", both on line 1, lacks clear antecedent basis.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Sciammarella et al (U.S. patent 6,320,599).

As per claim 1, Sciammarella et al, hereinafter Sciammarella, teach a computer implemented graphical user interface, at figure 1a, comprising a manipulator, with cursor 116, at column 3, lines 10-11, for enabling alteration of a scale of an object, at column 2, lines 15-23, by altering a dimension of a graphic representation of an active region, shown with position indicating marks 124, the dimension being approximately equal to a limit, with zoom-in and zoom-out marks 122, 126, at figure 3, and column 25-44.

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As to claim 2, Sciammarella teaches that the scale of the object is minified when the dimension is approximately equal to a maximum, at figures 5a, 5b, and column 3, line 65 to column 4, line 11.

Regarding claim 3, Sciammarella teaches that the scale of the object is magnified when the dimension is approximately equal to a minimum, at figures 4a, 4b, and column 3, line 45-64.

As per claim 4, Sciammarella shows that the dimension of the graphic representation is a diagonal of a rectangle, with marks 124, at figure 3.

In reference to claim 5, Sciammarella teaches a personal computer, at figure 1a.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sciammarella et al (U.S. patent 6,320,599) in view of Durrani et al (U.S. patent 6,057,840).

Regarding claim 6, Sciammarella does not specifically teach that the computer is a handheld electronic device.

However, it is known in the art that personal computers can include handheld electronic devices. For instance, Durrani et al, hereinafter Durrani, teach a computer-implemented user interface for use on handheld electronic devices, such as a personal digital assistant, at column 3, lines 44-52.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the interface of Sciammarella on a handheld device because it allows a user to perform zooming operations on a small display screen.

10. Claims 7-32 and 34-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gest et al (U.S. patent 5,333,247) in view of Sciammarella et al (U.S. patent 6,320,599).

As per claim 7, Gest et al, hereinafter Gest, teach a computer implemented graphical user interface, at figures 2A-2D, comprising a manipulator, with cursor 18, that enables a user to alter a size of an active region, with box 16, at figure 1C, column 5,

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lines 45-57, and column 6, lines 43-47, within limits, at column 6, lines 19-24, which describes "dimensions of at least a predetermined minimum value". However, Gest does not specifically teach altering a scale of an object by interaction of the manipulator and the graphic representation having a dimension approximately equal to a limit.

On the other hand, scaling of objects within limits is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it provides a user with visual feedback of the current display with respect to limits for zoom-in and zoom-out operations.

Claims 8 and 9 are similar to claims 2 and 3, respectively.

Regarding claim 10, Gest teaches moving the active region relative to the information area by interaction of the cursor and the box, at figures 2A-2D, and column 6, line 48 to column 7, line 24.

As to claim 11, Gest teaches a mouse, at column 10, line 5, and Sciammarella also teaches a mouse, at column 3, lines 10-11.

Regarding claim 12, Gest teaches a computer implemented graphical user interface, at figures 2A-2D, comprising a manipulator, with cursor 18, that enables a user to alter a size of an active region, with box 16, at figure 1C, column 5, lines 45-57,



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and column 6, lines 43-47. However, Gest does not specifically teach altering a scale of an object.

On the other hand, scaling of objects is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it allows a user to selectively enlarge or reduce display objects.

Regarding claim 13, Gest enables a user to move the active region relative to the information area, at figures 2A-2D, and column 6, line 48 to column 7, line 24.

As to claim 14, both Gest and Sciammarella teach the use of a mouse for user selected interactions [see claim 11].

As per claims 15 and 16, Sciammarella teaches zoom-in and zoom-out operations at figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

As to claim 17, Gest teaches the following subject matter:

graphical representation of an active region, with box 16, at figure 1C, and column 5, lines 45-57;

a positioning tool to move an active region relative to the information area, figures 2A-2D, and column 6, line 48 to column 7, line 24; and

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a sizing tool to alter a size of the active region, at column 6, lines 43-47, within limits, at column 6, lines 19-24, which describes "dimensions of at least a predetermined minimum value".

However, Gest does not specifically teach altering a scale of an object by interaction of a scaling tool with the graphic representation having a size approximately equal to a limit.

On the other hand, scaling of objects within limits is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it provides a user with visual feedback of the current display with respect to limits for zoom-in and zoom-out operations.

As to claims 18 and 19, they are respectively similar to claims 15 and 16.

Regarding claims 20 and 21, both Gest and Sciammarella teach the use of a mouse for user selected interactions [see claim 11].

As to claim 22, the first three steps are similar to the first three steps of claim 17. However, Gest does not specifically teach altering a scale of an object using a scaling tool.

On the other hand, scaling of objects is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second marks indicate

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corresponding limits for enlarging and reducing” at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it allows a user to selectively enlarge or reduce display objects.

As per claim 23, Gest teaches that the active region has a rectangular shape, with box 16, at figure 1C.

Regarding claims 24, 25, both Gest and Sciammarella teach the use of a mouse for user selected interactions [see claim 11].

As to claims 26, 27, they are similar to claims 15, 16, respectively.

As per claim 28, Gest teaches:

selecting an active region, at column 5, lines 50-52;

representing the active regions as a graphic, with box 16, at figure 1C, and column 5, lines 45-57;

altering a dimension of the graphic within limits by interaction of a cursor and the graphic, at column 6, lines 43-47, within limits, at column 6, lines 19-24, which describes “dimensions of at least a predetermined minimum value”.

However, Gest does not specifically teach altering a scale of an object by interaction of the cursor with the graphic having a dimension approximately equal to a limit.

On the other hand, scaling of objects within limits is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein “first and second

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marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it provides a user with visual feedback of the current display with respect to limits for zoom-in and zoom-out operations.

As to claims 29-32, they are respectively similar to claims 2, 3, 10, and 5.

Regarding claims 34-39, they are similar to claims 28, 10, 2, 3, 10, and 5.

11. Claims 33, 40, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gest et al (U.S. patent 5,333,247) and Sciammarella et al (U.S. patent 6,320,599), and further in view of Durrani et al (U.S. patent 6,057,840).

As to claim 33, and also claim 40, neither Gest nor Sciammarella specifically teach that the computer is a handheld electronic device.

However, it is known in the art that personal computers can include handheld electronic devices. For instance, Durrani et al, hereinafter Durrani, teach a computer-implemented user interface for use on handheld electronic devices, such as a personal digital assistant, at column 3, lines 44-52.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the interface of Gest and Sciammarella on a handheld device because it allows a user to perform scrolling and zooming operations on a small display screen.

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As to claim 41, Gest and Sciammarella teach the use of a mouse for user selected interactions [see claim 11], as does Durrani at column 7, line 34.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The additionally cited U.S. patent documents describe various systems and methods for scrolling and/or zooming display objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle N dela Torre whose telephone number is (703) 305-9782. The examiner can normally be reached on Mon-Thurs, 8am-4pm, and alternate Fri, 8am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

*C. dela Torre*  
CRESCELLE N. DELA TORRE  
PRIMARY EXAMINER